

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA TO APPROVE A REZONING FROM  
THOROUGHFARE COMMERCIAL (CT) AND GENERAL  
OFFICE (OG) TO PLANNED DEVELOPMENT (PD) TO ALLOW  
A RESIDENTIAL DEVELOPMENT CONSISTING OF 39  
RESIDENTIAL UNITS LOCATED AT 1433-1493 EL CAMINO  
REAL, SANTA CLARA**

PLN2018-13609 (Rezone)  
PLN2018-13610 (Vesting Tentative Subdivision Map)  
CEQ2018-01065 (Mitigated Negative Declaration)

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, on November 6, 2018, SCS Development (“Applicant”) filed an application for the 1.7 acre site at 1433 – 1493 El Camino Real with surface parking lots and two, vacant one-story commercial buildings totaling 14,880 square feet and an unoccupied 1,200 square foot one-story single family residence with two detached accessory buildings (“Project Site”);

**WHEREAS**, the Applicant applied to rezone the Project Site from Thoroughfare Commercial (CT) and General Office (OG) to Planned Development (PD) to allow a residential development consisting of 39 condominium units, including seven live/work units (“Project”) as shown on the Development Plans, attached hereto and incorporated herein by this reference;

**WHEREAS**, in conformance with CEQA, the Mitigated Negative Declaration (MND) prepared for the Project was noticed and circulated for a 30-day public review period from March 27, 2019 to April 26, 2019;

**WHEREAS**, the MND identified potential significant impacts of Project development that with implementation of the mitigation measures identified in the Mitigation Monitoring and Reporting Program (“MMRP”) will reduce potential mitigation measures to less than significant and will be incorporated into the Project;

**WHEREAS**, Santa Clara City Code (SCCC) Section 18.112.040 provides for the review and recommendation of the City's Planning Commission of all rezoning requests before action is to be taken by the City Council;

**WHEREAS**, on May 22, 2019, the Planning Commission held a duly noticed public hearing to consider the Project, MND, MMRP and all pertinent information in the record, including public testimony, at the conclusion of which the Planning Commission voted to recommend that the City Council adopt the MND and MMRP, approve the rezoning to allow a residential development consisting of 39 condominium units, including seven live/work units, and approve the Vesting Tentative Subdivision Map to create five condominium lots and four common lots to support the development; and

**WHEREAS**, on May 9, 2019, the notice of public hearing for the June 25, 2019, City Council meeting for this item was posted in three conspicuous locations within 300 feet of the project site and was mailed to property owners within a 1,000-foot radius of the Project Site and additional residential properties beyond 1,000 feet of the Project Site; and

**WHEREAS**, on June 25, 2019, the City Council held a duly noticed public hearing to consider the Rezoning application, at which time all interested persons were given an opportunity to give testimony and the City Council considered the information presented in the Staff Report, MND, MMRP and all verbal and written evidence.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the City Council hereby rezones the Project Site from Thoroughfare Commercial (CT) and General Office (OG) to Planned Development (PD) to allow a residential development consisting of 39 condominium units, including seven live/work units as shown on the attached

Development Plans and conditioned as specified in the attached Conditions of Rezoning Approval, incorporated herein by this reference.

3. Pursuant to SCCC Code Section 18.112.010, the City Council determines that the following findings exist in support of the rezoning:

A. The existing zoning is inappropriate or inequitable in that, the existing zoning for the Project Site does not allow residential development and creation of housing opportunities near the density range identified in the 2010-2035 General Plan. The Planned Development (PD) zoning would allow residential development to better implement the General Plan's vision for the El Camino Real Focus Area than the existing Commercial Thoroughfare (CT) and General Office (OG) zoning for the Project Site.

B. The proposed zone change will conserve property values, protect or improve the existing character and stability of the area in question, and will promote the orderly and beneficial development of such area in that the proposal redevelops three underutilized properties and visually improves the Project Site and surrounding neighborhood with physical and financial investment in the construction of a modern and visually aesthetic development with on-site parking, site improvements, landscaping, and streetscape enhancements.

C. The proposed zone change is required by public necessity, public convenience, or the general welfare of the City in that the proposed zone change provides residential development contemplated by the General Plan for the El Camino Real Focus Area that is designed to activate the streetscape, is pedestrian-oriented, supports public investments in existing and planned transit service along the El Camino Real transit corridor, and provides high quality homeownership opportunities to the City's housing stock.

D. The proposed zone change would allow imaginative planning and design concepts to be utilized that would otherwise be restricted in other zoning districts in that the proposed zone change would allow flexibility in the development standards to construct for-sale

condominiums that are compatible with existing and planned development within the El Camino Real Focus Area.

4. That based on the findings set forth in this resolution and the evidence in the City Staff Report, MND and MMRP, the City Council rezones the Project Site as set forth herein as conditioned as specified in the attached Conditions of Rezoning Approval, incorporated herein by this reference.

5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 25<sup>th</sup> DAY OF JUNE, 2019, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_  
NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments Incorporated by Reference:  
1. Conditions of Rezoning Approval  
2. Development Plans

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